

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN AARON CHAMP,

Defendant.

CR 21-70-BLG-DLC

ORDER

United States Magistrate Judge Timothy J. Cavan entered Findings and Recommendation in this matter on April 20, 2022. (Doc. 56.) Neither party objected and therefore they are not entitled to *de novo* review. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

This Court will review the Findings and Recommendation for clear error.

McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan recommends that this Court accept Champ’s guilty plea after he appeared before him pursuant to Rule 11 of the Federal Rules of Criminal Procedure and entered a guilty plea to one count of assault resulting in substantial

bodily injury of a dating partner, in violation of 18 U.S.C. §§ 1153(a) and 113(a)(7), as charged in the Second Amended Superseding Information. Reviewing for clear error, the Court finds none.

Accordingly, IT IS ORDERED that Judge Cavan's Findings and Recommendation (Doc. 56) is ADOPTED in full.

IT IS FURTHER ORDERED that Champ's motion to change plea (Doc. 44) is GRANTED and Champ is adjudged guilty as charged in the Second Amended Superseding Information.

DATED this 18th day of July, 2022.



Dana L. Christensen, District Judge
United States District Court